

**Minutes of Meeting
Lea County Board of Commissioners
March 13, 2014**

Chairman Fulfer called the meeting to order at 9:09 a.m. in the Lea County Courthouse.

Commissioners present were, to wit: Commissioner Dale Dunlap District 1, Commissioner Mike Whitehead District 2, Vice Chairman Ron Black District 3, Commissioner Thomas G. Pierce District 4 and Chairman Gregory H. Fulfer District 5.

Also present were County Manager Michael P. Gallagher II and County Attorney Scotty Holloman

Commissioner Dunlap led the Pledge of Allegiance followed by the Invocation by Vice Chairman Black.

ITEM 01: COMMISSION

- **Board of County Commissioners**
 - Consideration of Approval of the following Minutes:
 - February 25, 2014 Regular Meeting
 - March 06, 2014 Special Meeting

Commissioner Dunlap moved to approve the February 25, 2014 minutes and the March 06, 2014 special meeting minutes. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Discussion of Committee Reports

There were no committee reports

Set/Confirm Next Meeting(s):

- Thursday, March 27, 2014 at 9:00 a.m.
- Thursday, March 27, 2014 at 1:00 p.m. Outside Agency Funding Request
- Thursday, April 17, 2014 at 9:00 a.m. Budget Workshop
- Thursday, April 24, 2014 at 9:00 a.m.

The next meetings will be on. **March 27, 2014 at 9:00 a.m. and March 27, 2014 at 1:00 p.m. Outside Agency Funding Request; April 17, 2014 Budget Workshop at 9:00 a.m., and April 24, 2014 at 9:00 a.m.** in the Lea County Commission Chambers.

- Consideration of Approval of Appointments to Lea County Active Boards:
 - Lea County Airports Advisory Board
 - District 2 Reappoint Brian Nelson
 - Lea County DWI Advisory Committee
 - District 2 No appointment
 - District 4 Vernon Henning
 - District 5 No Appointment
 - Lea County Environmental Services Advisory Committee
 - District 2 No appointment
 - District 4 No appointment
 - Lea County Fair and Rodeo Board
 - District 3 No appointment
 - Lea County Planning and Zoning Board
 - District 1 John Graham
 - District 5 No appointment
 - Lea County Road Advisory Committee
 - District 4 No appointment

Commissioner Dunlap moved to approve the appointments to Lea County active boards. The motion was seconded by Commissioner Pierce and passed unanimously.

ITEM 02: BOARDS/COMMITTEES

- **Fair & Rodeo Board – Corey Helton, Chairman**
 - Consideration of Recommendation from the Lea County Fair & Rodeo Board for the Approval of Increase to the PRCA Added Money to the 2014-2015 Budget for the Lea County Fair & Rodeo

Chairman Helton requested approval. He stated the current added money to the PRCA is \$112,509. With a 5% increase of \$5,625, it would bring the added money to \$118,135. There was considerable discussion concerning the budget, reaching Gold Tour Status and the PRCA. Commissioner Whitehead moved to approve the increase to the PRCA added money to the 2014-2015 budget for the Lea County Fair & Rodeo. The motion died for lack of second.

ITEM 03: OTHER ELECTED OFFICIALS

- **Lea County Sheriff – Captain Steve Ackerman**
 - Consideration of Approval of Out of State Travel to Attend the Harris/Dailey-Wells Migration and Technology Meeting and the Inspection and Overview of the Eunice and Jal Site Equipment in San Antonio, Texas March 17 – March 20, 2014

Captain Ackerman requested approval. He stated this is for Tom Dunford to attend the Harris/Dailey-Wells radio training program. Commissioner Pierce moved to approve the out of state travel. The motion was seconded by Vice Chairman Black and passed unanimously.

- Consideration of Approval of Out of State Travel to Pick Up Rescue Air Packs and View Storage Buildings in Fort Sill, Oklahoma on February 27, 2014

Captain Ackerman requested approval. He stated this is for Gary Hassen to pick up the additional LESO 10-33 equipment for oilfield related emergencies, and to inspect some storage buildings for possible purchase. Vice Chairman Black moved to approve the out of state travel. The motion was seconded by Commissioner Black and passed unanimously.

ITEM 04: MANAGER

- **Lea County Manager – Michael P. Gallagher II**

- Consideration of Approval of Lea County Resolution No. 14-MAR-010R Approving Certain Contractual Provisions for A Payment in Lieu of Taxes with Respect to the County's \$440,000,000 Maximum Aggregate Principal Amount Industrial Revenue Bonds (DCP Midstream, LLC-ZIA II Project) Series 2014

Manager Gallagher requested approval. He presented a PowerPoint presentation explaining the fine points of resolution No. 14-MAR-010R. He stated this is consistent with the inducement resolution that the County had passed with DCP Midstream identifying the County's willingness to issue an IRB. We are negotiating additional payment in lieu of taxes to be paid to the County that has not been previously paid. Chairman Fulfer introduced Bret Fox, Director of Government Affairs at DCP Midstream. Mr. Fox expressed his gratitude and excitement for this opportunity. Commissioner Dunlap moved to approve Resolution No. 14-MAR-010R approving certain contractual provisions for a payment in lieu of taxes with respect to the County's \$440,000,000 maximum aggregate principal amount industrial revenue bonds (DCP Midstream, LLC-ZIA II Project) Series 2014. The motion was seconded by Commissioner Pierce and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 14-MAR-011R Expressing Support for Occidental Permian, Ltd. Expansion in Lea County

Manager Gallagher requested approval. He presented a PowerPoint presentation in support of this resolution. He stated Occidental Permian, Ltd is applying through the State of New Mexico to expand their CO2 flood unit in the Hobbs area. They had requested, as part of their permitting and application process through the state, that local entities pass a resolution in support of the estimated \$750 million expansion in Lea County. He stated the New Mexico Junior College recently passed a

similar resolution that states Occidental Permian, Ltd is a significant producer of crude oil in the Permian Basin. Vice Chairman Black moved to approve Resolution No. 14-MAR-011R expressing support for Occidental Permian, Ltd expansion in Lea County. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Consideration of Approval of Vikki Bell Cooper Agreements with Local Partnering Entities

Manager Gallagher requested approval. He stated in the past we have worked with the local entities, Tatum to Jal, where each of the entities contributes for federal lobbyist and political consultant to represent all of the interests of Lea County. He stated I am asking for authorization to sign these agreements. The City of Lovington opted not to participate this year. Commissioner Pierce moved to approve Vikki Bell Cooper agreements with local partnering entities willing to participate. The motion was seconded by Vice Chairman Black and passed unanimously.

- Consideration of Approval of Joint Letter with Neighboring Counties to the U.S. Fish & Wildlife Services regarding Lesser Prairie Chicken

Manager Gallagher requested approval. He stated we have been working with several counties in New Mexico along with local government, environmental planning firms, legal firms, and American Stewards of Liberty concerning the Sand Dune Lizard and the Lesser Prairie Chicken. I am asking for authority for the Chairman to sign a joint letter with the neighboring counties which states that there is not enough scientific data to list the Lesser Prairie Chicken as an endangered species. Commissioner Pierce moved to approve the joint letter with neighboring counties to the U.S. Fish & Wildlife Services regarding Lesser Prairie Chicken. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Discussion of FY 2014-2015 Budget for Lea County

Manager Gallagher stated there will be some challenges for the 2014-2015 budget. He presented a PowerPoint presentation with an outline of the expected timeline for the next few months. Manager Gallagher stated the preliminary budget must be approved by resolution by the County Commission no later than May 30, 2014, with the final budget approved by July 31, 2014. Commissioner Whitehead asked if staff is going to make suggestions on making cuts across the board to try to absorb the \$4.6 million. Manager Gallagher stated that is why we are trying to get some feedback. We do have a good understanding as to what the priorities are, but we would like to have a discussion before we make recommendations.

ITEM 05: COUNTY DEPARTMENTS

- **Communication Authority – Angela Martinez, Director**

- Consideration of Approval of Out of State Travel to Attend the Harris/Dailey-Wells Migration and Technology Meeting and the Inspection and Overview of the Eunice and Jal Site Equipment in San Antonio, Texas March 17- March 20, 2014

Director Martinez requested approval. Commissioner Dunlap moved to approve the out of state travel to attend the Harris/Dailey-Wells Migration and Technology meeting and the inspection and overview of the Eunice and Jal site equipment in San Antonio, Texas March 17 - March 20, 2014. The motion was seconded by Commissioner Whitehead and passed unanimously.

- **Emergency Management/Environmental Services/Maintenance – Lorenzo Velasquez, Director**

- Discussion of the following Proposed and/or Amended Lea County Ordinances:
 - Animal Control
 - Fire Code
 - Liquid Waste
 - Solid Waste

Director Velasquez stated there are four ordinances that have been prewritten or amended. He stated will bring these to you for discussion and possible publication at a later date. There have been some changes I believe are beneficial to us. The proposed changes are the penalty phase. The first offense does not require incarceration. This will avoid the need to qualify for a public defender and the offender will be seen directly by the judge. The second offense will receive a fine and includes jail time. This will speed up the process on the citations that are issued. There are several changes to the animal control ordinance. Instead of allowing 15-20 animals, it allows 5-6 animals; and if you wish to have more, you can pursue a permit.

- **Public Works (Airports/Engineering/Roads) – Corey Needham, Director**

- Consideration of Approval of Lea County Resolution No. 14-MAR-009R Lea County Road Reclassification

Director Needham requested approval. He presented PowerPoint presentation explaining the roadway reclassification process. Director Needham presented the list of projected roadways for reclassification. Commissioner Piece moved to approve Resolution No. 14-MAR-009R Lea County Road Reclassification. The motion was seconded by Commissioner Dunlap and passed unanimously.

- **Administrative Services (Finance/Grants/Information Technology) –Director Sherri Bunch**
 - Consideration of Approval of Accounts Payable

Director Bunch requested approval. Commissioner Dunlap moved to approve accounts payable. The motion was seconded by Commissioner Whitehead and passed unanimously.

ITEM 05: PUBLIC

- **Public**

Chairman Fulfer commented concerning Senate Bill 268 and his proposed goals for the future.

ITEM 06: EXECUTIVE SESSION

- **BOARD OF COMMISSIONERS**

- Pursuant to Section 10-15-1 (H2), (H7) & (H8) of the New Mexico Statutes Annotated (NMSA) 1978; to discuss limited personnel matters, threatened or pending litigation and the purchase, acquisition or disposal of real property or water rights.

At 10:15 a.m. Commissioner Whitehead moved to convene in Executive Session pursuant to **Section 10-15-1 (H2), (H7) & (H8) of the New Mexico Statutes Annotated (NMSA) 1978; to discuss limited personnel matters, threatened or pending litigation and the purchase, acquisition or disposal of real property or water rights**. The motion was seconded by Commissioner Dunlap. Secretary polled the Commission: Commissioner Dunlap, yes; Commissioner Pierce, yes; Commissioner Whitehead, yes; Vice Chairman Black, yes; Chairman Fulfer; yes.

Vice Chairman Black moved to reconvene in Regular Session. The motion was seconded by Commissioner Whitehead and passed unanimously. The meeting reconvened at 11:02 a.m.

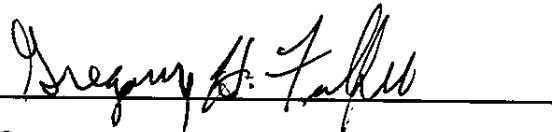
The Commission convened in Closed Session to discuss items relative to the purchase acquisition or disposal of real property, or water rights. No action was taken by the Commission during closed session.

09: OTHER BUSINESS

Manager Gallagher stated we need to authorize the Chairman to sign a letter of endorsement for the Community Drug Coalition of Lea County. The letter is needed as soon as possible for the New Mexico's Partnerships for Success II goals project. Since we cannot take action, maybe Chairman Fulfer can sign this and we will bring this back at the March 27, 2014 meeting for ratification by the County Commission. There were no objections to Manager Gallagher's request.

The meeting was adjourned at 11:04 a.m.

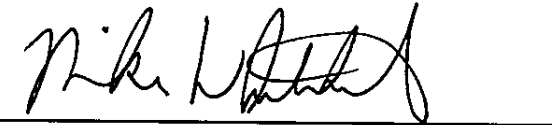
**BOARD OF COUNTY COMMISSIONERS
LEA COUNTY, NEW MEXICO**



Gregory H. Fulfer, Chairman



Ron Black, Vice Chairman



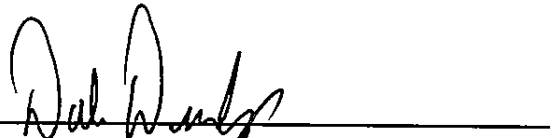
Mike Whitehead, Member

Thomas G. Pierce, Member

ATTEST: Pat Chappelle
Lea County Clerk



Kelli Williams



Dale Dunlap, Member